

CARLOS M. RAMIREZ
MAYOR

MONICA D. CUNNINGHAM
CHIEF ADMINISTRATIVE OFFICER

ESTRELLA ESCOBAR
EXECUTIVE ASSISTANT TO THE MAYOR

MARK THREADGILL
EXECUTIVE ASSISTANT TO THE MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL JOSEPH ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ELVIA G. HERNANDEZ
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
MARCH 20, 2001
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Carlos M. Ramirez present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Presi Ortega, Jr., Paul Joseph Escobar, Luis G. Sariñana and Elvia G. Hernandez. Absent: None. Meeting was called to order and the invocation was given by Pastor Jack Berg, Sun Valley Baptist Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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Motion made by Representative Ortega, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

Representative Medina was not present when the vote was taken.

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*Motion made, seconded and unanimously carried to approve the Special Joint Meeting Minutes for February 27, 2001 and the corrected Regular City Council Minutes for February 27, 2001.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lessor's Approval of Assignment between the City of El Paso, Texas (Lessor), Ralph Scoppa and David Bingham dba Scoppa/Bingham Joint Venture (Assignor) and Coronado Financial (Assignee), together with related documents, for the following property: Lots 1 and 2, Block 5, El Paso International Airport Tracts, Unit 4, Replat "A", City of El Paso, El Paso County, Texas, commonly known as 6400 Boeing Street.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Temporary Land Use Lease between the City of El Paso, Texas (Lessor) and Tri State Electric Company (Lessee), for a portion of Lot 1, Block 1A, El Paso International Airport Tracts, Replat of Unit Four, containing approximately 10,000 square feet, City of El Paso, El Paso County, Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following rental contract for space in the El Paso Museum of Art.

Event: Dinner
Licensee: University of Texas at El Paso/M.I.E. Sixth Annual Conference
Date: April 7, 2001
Time: 7:00 p.m. - 10:30 p.m.
Charge for Space: \$1,500.00
Charge for Staff (est.): \$420.00
Charge for Insurance: \$40.00
Area(s): Special Events

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following rental contract for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event: Luncheon Meeting
Licensee: World Trade Center El Paso/Juarez
Date: March 20, 2001
Time: 1:30 p.m. - 3:30 p.m.
Charge for Space: \$250.00
Charge for Insurance: \$40.00
Area(s): Executive Dining Room

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor on behalf of the City and the City Clerk, be authorized to sign a Release of Lien in the amount of THREE THOUSAND SIX HUNDRED AND NO/100THS DOLLARS (\$3,600.00 - \$3,000 loan/\$600 grant) against the following described real property:

Lot 7, Block 13A, MARION MANOR UNIT TWO, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 30, Page 7, Plat Records of El Paso County, Texas; also known and numbered as 8428 Reindeer, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan in the amount of SEVEN AND 28/100THS DOLLARS (\$7.28).

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor on behalf of the City and the City Clerk, be authorized to sign a Release of Lien in the amount of TEN THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS (\$10,500.00 - \$9,540.00 loan/\$960.00 grant) against the following described real property:

Lot Three (3), Block Eleven (11), LANCASTER ADDITION UNIT TWO (2), an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 37, Page 19, Plat Records of El Paso County, Texas; also known and numbered as 623 Fall River, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan in the amount of FIVE AND 59/100THS DOLLARS (\$5.59).

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*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a letter of support for The Banana Tree with respect to its two year \$1,000,000 funding request to Texas Governor Rick Perry's Wagner Peyser Act Discretionary Funds Initiative for a proposal entitled Plastic Injection Molding Training and Contract Center: Employment and Training for Dislocated Workers.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Agreement between Mexus Business Solutions, Inc., and the City of El Paso to provide for redesign of an Internet website and related maintenance services for the City's Department of Economic Development. Website redesign services shall be at no cost to the City. Charges for maintenance service shall be at a reduced monthly rate of \$35.00. The Agreement shall continue in effect for an initial term of one year.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the Agreement for Designation of an Enterprise Zone between the Texas Department of Economic Development and the City of El Paso for designation of 15.45 square miles of East El Paso as the East El Paso Enterprise Zone.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a request for the extension of the award period to the Drug Enforcement Administration, Office of National Drug Control Policy, to extend the award ending date to June 30, 2001 for the following FY00 HIDTA grants: HIDTA-Hotel/Motel grant no. I0PSWP566; HIDTA-Multi Agency grant no. I0PSWP588; HIDTA-Intelligence Initiative grant no. I0PSWP572; and HIDTA-Stash House grant no. I0PSWP574; and to extend the award ending date to May 31, 2001 for the following FY99 HIDTA grants: HIDTA-Hotel/Motel grant no. I9PSWP566; HIDTA-Multi Agency grant no. I9PSWP588; HIDTA-Intelligence Initiative grant no. I9PSWP572; and HIDTA-Stash House grant no. I9PSWP574.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement between the City of El Paso and the Treasury Law Enforcement Agencies (U.S. Customs Service), whereby the U.S. Customs Service will reimburse the City for certain overtime personnel costs incurred during the handling of narcotics related cases initiated by the U.S. Customs Service from October 1, 2000 to September 30, 2001; and that the Chief of Police be authorized to sign and submit all required documentation, forms and certifications to request and receive the actual reimbursements.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement between the City of El Paso and Salt Lake City whereby the City of El Paso's Aircraft Rescue Fire Fighter unit will receive fire-fighting training at the Salt Lake City ARFF Training Center.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Lauraencia Loya, Lifeguard Training
DATES: March 12, 2001, thru September 30, 2001
RATES PER HR: \$5.25
CONTRACT NO: 2000/2001-191
2. CONTRACTOR: Ashley Marie Pettis, Lifeguard Training
DATES: March 12, 2001, thru September 30, 2001
RATES PER HR: \$5.25
CONTRACT NO: 2000/2001-192

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3. CONTRACTOR: James R. Rodriguez, Lifeguard I, Step 1
DATES: March 12, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-193
4. CONTRACTOR: Cynthia Samaniego, Swim Instructor I, Step 1
DATES: March 19, 2001, thru September 30, 2001
RATES PER HR: \$5.35
CONTRACT NO: 2000/2001-194
5. CONTRACTOR: Felipe Sosa, Pool Attendant I, Step 2
DATES: March 5, 2001, thru September 30, 2001
RATES PER HR: \$5.60
CONTRACT NO: 2000/2001-195
6. CONTRACTOR: Martin Torres, Swim Instructor I, Step 1
DATES: March 19, 2001, thru September 30, 2001
RATES PER HR: \$5.35
CONTRACT NO: 2000/2001-196
7. CONTRACTOR: Monica Vargas, Pool Attendant I, Step 1
DATES: March 19, 2001, thru September 30, 2001
RATES PER HR: \$5.40
CONTRACT NO: 2000/2001-197

*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **IVONNE GARCIA** for the El Paso Library to be paid at the rate of \$5.23 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator, in which case Employees may work up to 40 hours per week, and will be reimbursed for mileage, not to exceed 150 miles per week or a total of \$51.75 per week. The term of the contract is from April 3, 2001 through April 2, 2002.

*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and Ninfa Sandoval for the El Paso Public Library. There is no cost to the City.

*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **EVA T. SALINAS** for the El Paso Zoo at the rate of \$7.00 per hour not to exceed 24 hours per week. Total compensation shall not exceed \$750.00 per month. The contract term is from March 21, 2000 through March 20, 2002.

***RESOLUTION**

WHEREAS, the City of El Paso, as Trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the office making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the Sheriff of El Paso County to sell said property in accordance with Section 34.05, Subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the Sheriff of El Paso County to sell in accordance with Section 34.05, Subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as:

Lot 25, Block 144, Eastwood Heights, Section D, being more particularly described in Volume 248, Page 233, Deed Records of El Paso County, Texas, (PID #E222-999-1440-4900)

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***RESOLUTION**

You are hereby notified that at 9:00 a.m. on the 17th day of April, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 714-718 Father Rahm Avenue, in El Paso, Texas, which property is more particularly described as:

Lots 10 and the North 24 feet of Lot 9, Block 82, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 68, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Gilberto & Larisa Limon, 714-718 Father Rahm Avenue, El Paso, Texas 79901, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- 1) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property and;

- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

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*RESOLUTION

You are hereby notified that at 9:00 a.m. on the 17th day of April, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 1644 Henri Dunant Way, in El Paso, Texas, which property is more particularly described as:

Lot 24, Block 325, Vista Del Sol Unit Sixty Six, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 56, Page 46, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Dario & Maria Hernandez, 1644 Henri Dunant Way, El Paso, Texas 79936-6105, and First American R. E., Tax Service Dept., 8435 Stemmons Freeway, Dallas, Texas 75247-0000 are listed as the Owner of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Buildings should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Buildings in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead and;

III) the Owners may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

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*RESOLUTION

You are hereby notified that at 9:00 a.m. on the 24th day of April, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 114 S. Virginia Street, in El Paso, Texas, which property is more particularly described as:

Lots 17 through 20 and the South 16 feet of Lot 16, Block 205, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Albert Telles, 2120 Myrtle Avenue, El Paso, Texas 79901-2002 is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owner fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner show that the property is the Owners' lawful homestead and;

III) the Owner may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

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*Motion made, seconded and carried that the following Housing Rehabilitation application be approved in the amount shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue a check in the amount shown below for the approved application.

H01-02-OL/EC/MP-0040	Loan: \$47,699.00
Interest 0%	Grant: \$12,644.00
6002 Honey Bee Court (24)	Total: \$60,343.00
	Term: 20 years

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*Motion made, seconded and carried that the following First Time Home Buyers applications be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved applications.

A.	01-03-FTHB/HL-0455	Loan: \$20,000.00
	Interest 0%	Term: 357 months
	12044 Braveheart Ave. (36)	
B.	01-02-FTHB/HL-0453	Loan: \$20,000.00
	Interest 0%	Term: 357 months
	1689 Leroy Bonse Dr. (36)	
C.	01-03-FTHB/HL-0454	Loan: \$3,600.00
	Interest 0%	Term: 64 months
	6309 Normandy Court (25)	
D.	01-03-FTHB/HL-0456	Loan: \$13,810.00
	Interest 0%	Term: 246 months
	11969 Belfry Park (36)	

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*Motion made, seconded and carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City, as revised. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Vista Del Sol Unit 152

Street Improvements:

Ted Houghton Drive - from Pellicano Drive to the Southerly Property Line of Lot 20, Block 575.
Bob Hope Drive - from Pellicano Drive to the Northerly Property Line of Pellicano Industrial Unit 1.
Kit Carson Drive - from Ted Houghton Drive to the heel at Lot 9, Block 572.
Diana Natalicio Drive - from the heel at Lot 9, Block 572 to the end of the cul-de-sac at Lot 21, Block 575.
Luz Carpio Way - from Kit Carson Drive to the end of the cul-de-sac at Lot 23, Block 572.
Alicia Chacon Lane - from Diana Natalicio Drive to Kit Carson Drive.
Myrna Deckert Drive - from Bob Hope Drive to the end of the cul-de-sac at 29, Block 575.
Herlinda Chew Way - from Myrna Deckert Drive to the end of the cul-de-sac at Lot 20, Block 573.
Marta Duron Lane - from Myrna Deckert Drive to the end of cul-de-sac at Lot 12, Block 573.

Drainage Improvements:

Ponding Area - at Lot 32, Block 572; with a 1.55 ac. Area and a 12.2 ac.-ft capacity; 2-Thrust Block structures; and 1088 ft.x 6 ft.high of Rockwall Fence with an 18 ft. Double Swing Gate.

Ted Houghton Drive - 2-3 Grate Drop Inlet Type I; 44 ft. of 30" R.C.P.; and 105 ft. of 24" R.C.P.

Kit Carson Drive - 1-11 Grate Drop Inlet Type II with 1-Junction Box.

15 ft. Drainage Easement - at Kit Carson Drive within Lot 29, Block 572; 123 ft. of 30" R.C.P.; 1 -Junction Box /72" Manhole; and 60 ft. of 30" R.C.P.

Bob Hope Drive - 6 Junction Boxes/72" Manholes; 244 ft. of 54" R.C.P.; 974 ft. of 42" R.C.P.; 52 ft. of 30" R.C.P.; 1-3 Grate Drop Inlet Type I; 2-2 Grate Drop Inlet, and 210 ft. of 18" R.C.P.

Motion was revised to delete the "Ponding Area" paragraph "A Ponding area within portion of Tracts 1A3 and 3A, O.A. Danielson Survey" as shown on the Agenda.

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*Motion made, seconded and unanimously carried to approve the request from Roberto Melendez, of the Solid Waste Management Department for Special Sick Leave.

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*Motion made, seconded and unanimously carried to approve the request from Luis Raul Flores, of the El Paso Water Utilities for Special Sick Leave.

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*Motion made, seconded and unanimously carried to approve the request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Laborer, Street Department (1 position)

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*Motion made, seconded and unanimously carried to approve the requests for provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Stores Clerk I, Sun Metro (1 position)

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Comptroller:

Delete	1	Accountant I	PM 72
Add	1	Accountant II	PM 75

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*Motion made, seconded and carried to confirm the Mayor's appointment of Pat Adaauto, as the Planning, Research and Development Director, grade EX-B, at a starting salary of \$78,719.55, effective March 21, 2001.

Mayor Carlos M. Ramirez spoke regarding the appointment of Ms. Adaauto. He explained the entire Council is very supportive of her and her capabilities.

Ms. Pat Adaauto, Planning Director, thanked Council Members for their vote of confidence and stated she is excited to serve the Council and the public as Director of Planning. She pledged to continue the crucial efforts of the Department with her very hard working and dedicated staff. She thanked Monica D. Cunningham, Chief Administrative Officer, and Estrella Escobar, Executive Assistant to the Mayor and all City colleagues for their advice and guidance over the last year. She especially thanked her family and friends for their continued love and support. She stated she will have 26 years of employment with the City of El Paso as of May, 2001.

Representative Sumrall stated that one of the very unique and special qualities that Ms. Adauto has brought to this position is her unbelievable knack working with the citizens of the City and she is very impressed with her work ethic and abilities. Representative Cook commented on the appointment.

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*Motion made, seconded and unanimously carried to **APPOINT** Sylvia Borunda Firth as an Assistant City Attorney effective March 25, 2001 at a bi-weekly salary of \$3,000.00.

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*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign the payment agreements on behalf of the City:

- A. PID #D361-999-0140-5400, \$191.25 per month installments on a balance of \$2,157.24 for 1998 & 1999 taxes; Prisciliano & T. Marquez - 9012 Lawson Dr.
- B. PID #1995-999-2730-0030, \$790.12 per month installments on a balance of \$4,693.03 for 1997, 1998 and 1999 taxes; Rio Mebco c/o Sam James - 6456 Doniphan.

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*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Sierra Title Company in the amount of \$5,096.23, overpayment of 2000 taxes.
(PID #C340-999-1500-1700)
- B. James & Katherine McIntyre in the amount of \$1,810.00, overpayment of 1999 taxes.
(PID #C870-999-0010-1100)
- C. Diana M. Rosemond in the amount of \$3,052.63, overpayment of 2000 taxes.
(PID #E054-999-0060-5200)
- D. Louis Miccio in the amount of \$3,103.08, overpayment of 2000 taxes.
(PID #H453-999-0320-0100)
- E. Lawyers Title in the amount of \$1,298.33, overpayment of 2000 taxes.
(PID #H786-000-0000-0270)
- F. Rafael & Carol Botello in the amount of \$6,010.87, overpayment of 2000 taxes.
(PID #R460-999-0120-0400)
- G. Carefree Homes I, L.P. c/o Lawyers Title in the amount of \$626.48, overpayment of 2000 taxes.
(PID #S812-999-0240-5000)
- H. Carefree Homes I, L.P. c/o Lawyers Title in the amount of \$3,583.39, overpayment of 2000 taxes.
(PID #S812-999-0270-1600)
- I. First American Title in the amount of \$995.01, overpayment of 2000 taxes.
(PID #T527-999-0080-4600)
- J. Transamerica, RET in the amount of \$1,222.66, overpayment of 1999 taxes.
(PID #V893-999-032A-2075)
- K. Rocio Garcia in the amount of \$1,911.66, overpayment of 2000 taxes.
(PID #V927-999-0100-1300)
- L. Colonial Savings in the amount of \$759.85, overpayment of 1999 taxes.
(PID #X579-0002-4500-100)

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*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend Contract No. 2000-202C between the City of El Paso and El Paso Great Basin, El Paso, Texas to provide Peterbilt Proprietary Parts for the Equipment Maintenance Department (for one additional year) starting July 1, 2003, and ending June 30, 2004.

Department	Equipment Maintenance Department
Funds available:	370510-203121, 370510-203125
Funding source:	Equipment Maintenance Internal Service Fund
Total amount:	\$50,000.00 (estimated annually)

*Motion made, seconded and unanimously carried to approve Change Order No. 5 to JAR Concrete, Inc. for 1996 Urban Street Program Concrete Intersections, for an increased amount of \$19,000.00, to provide the required traffic control and barricades. (2000-003)

Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-106 - Project: Copia Street Sidewalk and Retaining Wall Improvements

Representative Rodriguez asked that information be conveyed to the public.

Mr. Byron Johnson, Director of Purchasing, stated that this is a construction contract to do work on Copia Street to redo the sidewalk and the retaining wall. He also explained that in the contract there is an option which states if there is a difference in the distance the City can do the other retaining wall on Copia.

Motion made by Representative Rodriguez, seconded by Representative Sumrall and unanimously carried to award Bid No. 2001-106

Project:	Copia Street Sidewalk and Retaining Wall Improvements
Contractor:	JSE Construction, LLC
	El Paso, Texas
Department:	Engineering Department
Funding:	150069-7126CD-0023-208027 CD
Base Bid:	\$41,900.00
Total Award:	\$41,900.00

The Purchasing Department recommends the award of this contract to JSE Construction, LLC, the low responsible, responsive bidder. Additionally, it is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid: \$41,900.00
Total Recommended Award: \$41,900.00

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-324 HEALTH-ANIMAL REGULATION

Grant 410125 was awarded by The Center for Border Health Research to conduct a research project. Dr. Irwin from UTEP Biology will be responsible for fiscal management of the grant and Dr. O'Rourke, University of South Carolina will act as a consultant.

Increase	\$62,450	to	150004/410125/106002	Local Grant Proceeds
Increase	\$57,450	to	150004/410125/205400	Other Agency Exp
Increase	\$ 5,000	to	150004/410125/208010	Data Process Equip

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-331 COMMUNITY DEVELOPMENT

This transfer request increases the amount budgeted for the Public Service Board (PSB) portions of the Apodaca Place Completion project, a 25th & 26th Year (1999-2000, 2000-2001) CDBG Project. Increase required due to bid specifications that indicate the PSB funding portion was more than the initial Engineering Dept. estimate.

Increase	\$5,971	to	150065/7126PS0009/106002	Local Grant Proceeds
Increase	\$5,971	to	150065/7126PS0009/208027	Contingencies

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-340 PARKS & RECREATION

Refurbish four billiard tables at Washington Park Senior Center. Tables will be moved to new center. Work is required to return tables to tournament playing condition.

Increase	\$1,000	to	510206/500222/107002	Est Revenue
Increase	\$1,000	to	510206/500222/203200	Maintenance

.....
 Motion made, seconded and unanimously carried to move to the regular agenda the request of Alma L. Nava/Immigration Law Enforcement Monitoring Project to hold a procession on March 31, 2001 from 12:00 p.m. to 2:00 p.m

Representative Sumrall questioned whether this group was indigent.

Representative Hernandez responded she would pay for the \$15.75 permit fee and the estimated police costs. She asked that Ms. Darlene Hernandez explain what would be taking place. Representative Hernandez hoped that next year the "Cesar Chavez" holiday would be made an official holiday on March 31.

Mayor Carlos M. Ramirez asked that the applicant clarify the exemption for indigence.

Ms. Darlene Hernandez explained that her organization did not have the money for the march, therefore, her organization asked for assistance from a non-profit organization.

Mayor Ramirez stated that the organization sponsoring the march has the money.

Mr. Fernando Garcia, coordinator of the Immigration Law Enforcement Monitoring Project, explained his non-profit organization has donated the money. His organization is supporting this March because Cesar Chavez represented the struggles of the people in El Paso.

Representative Medina asked that the Legal Department rewrite the Parade Affidavit for those organizations that are claiming an indigent status.

Mr. Charlie McNabb, City Attorney, explained that the Legal Department will give the City Clerk's office an explanation of "indigence" to hand out to the public.

Representatives Ortega and Escobar offered their financial assistance to aid Representative Hernandez in paying the fees.

Representative Sumrall supports the parade request, however, she noted that information provided with the parade request was misleading. She wished the group good luck in their worthwhile efforts.

Ms. Darlene Hernandez gave details of the march to Council Members and invited them to attend.

Motion made by Representative Hernandez, seconded by Representative Ortega and unanimously carried to approve the request of Alma L. Nava/Immigration Law Enforcement Monitoring Project to hold a procession on March 31, 2001 from 12:00 p.m. to 2:00 p.m. Route: Start at San Jacinto Plaza, proceed on Main, Kansas, Texas, Oregon, and end at 602 S. Oregon. Approximately 100 persons will take part and 25 spectators are anticipated. Permit No. 01-015

.....
Motion made, seconded and unanimously carried to move to the regular agenda the request of Robert Resendez, Sr. to hold a demonstration on April 16, 2001 from 5:00 p.m. to 6:00 p.m. at the main post office on Boeing Street (sidewalk).

Representative Sumrall explained that this is a demonstration proposed for the same day that individuals are submitting their income tax forms. She is concerned that there might be a crowd.

Mayor Carlos M. Ramirez explained that the demonstration will be held from 5:00 p.m. to 6:00 p.m.

Captain Mike Gill, El Paso Police Department, stated that the group will be hiring off-duty officers to regulate traffic and the Pebble Hills Regional Command will monitor the event with the District car.

Representative Cook read from the application and stated that this is a demonstration against the disabled veterans.

Motion made Representative Ortega, seconded by Representative Escobar and carried to approve the request of Robert Resendez, Sr. to hold a demonstration on April 16, 2001 from 5:00 p.m. to 6:00 p.m. at the main post office on Boeing Street (sidewalk). Approximately 25 persons will participate. Permit No. 01-017

Representative Cook voted Nay.

.....
Motion made by Representative Sumrall, seconded by Representative Sariñana and unanimously carried to deny an Ordinance changing the zoning of all of Lot 292, Block 18, Coronado Hills Section Two, City of El Paso, El Paso County, Texas (6100 Fiesta Drive) from R-3 (Residential) to S-D (Special Development), and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the City of El Paso Municipal Code. Applicant / Representative: Nydia Martin, 4012 Esperanza Circle, El Paso, Texas 79922. ZC-00072 **THIS IS AN APPEAL ZONING CASE**

Ms. Pat Adatao, Planning Director, explained the background regarding this zoning case. She stated that the CPC recommended denial of the rezoning and letters of opposition have been received, however, this is not a 211-006(d).

Representative Sumrall empathized and sympathized regarding the lack of day care centers, however, this is not an appropriate location.

The applicant, Nydia Martin, was not available to answer any questions.

Representative Cook questioned the 2025 Plan for El Paso for this neighborhood.

Ms. Adatao explained that the Plan designates the area as residential.

.....
ORDINANCE 14791

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING AND ADOPTING THE LONG-RANGE GENERAL POLICIES FOR GUIDING GROWTH AND DEVELOPMENT IN THE COMMUNITY AS CONTAINED WITHIN THE PLAN FOR EL PASO AND ITS RELATED DOCUMENTS APPROVED BY CITY COUNCIL ON APRIL 27, 1999, AND ADOPTING MODIFICATIONS TO THE 2025 PROPOSED THOROUGHFARE SYSTEM AS DETAILED IN THE MAP ATLAS OF THE PLAN.**

Mayor Carlos M. Ramirez explained that Ms. Adatao has had the opportunity to meet with all the City Representatives and explain this Ordinance to each of them.

Representative Sariñana stated he is not in support of the Yarbrough Port of Entry which is being proposed in the 2025 year plan. He stated that the community and citizens in the Lower Valley do not support this Port of Entry either. He explained that there are too many schools, residential neighborhoods and Shawver Park is located in this area.

Motion duly made by Representative Hernandez, seconded by Representative Ortega that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14792

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACTS 17 AND 17B, AND ALL OF TRACT 17B1, S.A. & M. G. RAILROAD COMPANY SURVEY 266, CITY OF EL PASO, EL PASO, COUNTY, TEXAS (NORTHWEST CORNER OF REDD ROAD AND INTERSTATE HIGHWAY 10) FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Hernandez asked what type of buildings would be built here.

Ms. Pat Adatao, Planning Director, explained that the Site Plan indicates seven proposed commercial buildings as part of a commercial development on this site, one of which would be a Warehouse Club.

Motion duly made by Representative Sumrall, seconded by Representative Hernandez that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be an the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to postpone two weeks an Ordinance changing the zoning of portions of Lot 100, Cinecue Park, City of El Paso, El Paso, County, Texas (8300 Block of Troy Avenue) as follows: Parcel 1 from R-F (Ranch-Farm) to A-M (Apartment-Mobile Home) and Parcel 2 from R-F (Ranch-Farm) to A-M (Apartment-Mobile Home). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Teodoro Martinez / Representative: Roe Engineering, Inc., 601 N. Cotton, El Paso, TX 79902, ZC-00081
.....

ORDINANCE 14793

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF ALL OF TRACTS 9A AND 9B, BLOCK 25, YSLETA GRANT, CITY OF EL PASO, EL PASO, COUNTY, TEXAS (7399 ALAMEDA AVENUE) FROM C-1 (COMMERCIAL) TO C-4 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Medina explained that he is the property owner and would abstain from voting.

Representative Sumrall asked what the intended purpose of the site would be.

Ms. Pat Adatao, Planning Director, explained that this is an existing auto body shop which requires the C-4 zoning to permit the use.

Motion duly made by Representative Hernandez, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Council Member Medina abstained from voting.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion made by Representative Sariñana, seconded by Representative Hernandez and unanimously carried to postpone one week an Ordinance changing the zoning of a portion of Lot 3, Block 55, Rangers Rest Subdivision Unit One, City of El Paso, El Paso County, Texas (1015 North Zaragoza Road) from R-4 (Residential) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Omar Gonzalez, M.D. / Representative: Jose M. Rubio, 651 Tepic, El Paso, TX 79912, ZC-00085

Representative Sariñana asked what the proposed C-1 use would be and whether the back taxes have been paid.

Mr. Joe Rubio, Planning Consultant, explained that the intended use is a parking lot to serve the medica office building. He has submitted a Certificate of Taxes and stated that some payments were made

regarding the back taxes. He explained that the evaluation is being appealed and will come before the Board of Equalization in May.

Representative Sariñana asked Ms. Carmen Perez, attorney with Delgado Acosta Spencer Linebarger Heard & Perez LLP, if the proposed C-1 property is the property in question regarding the nonpayment of taxes.

Ms. Perez stated she could not answer his question, however, she explained that on the delinquent account a deferral was placed, the deferral has been removed and the firm is attempting to collect on the 1999 taxes.

A discussion between Representative Sariñana and Mr. Rubio ensued regarding postponing the item and paying the delinquent taxes.

Representative Sumrall explained that the Council has postponed items where there have been taxes owed on ANY properties.

Ms. Pat Aduato, Planning Director, responded that the taxes are due on the adjacent property.
.....

ORDINANCE 14794

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE #014772 PROVIDING FOR THE 2001 GENERAL ELECTION IN THE CITY OF EL PASO, CALLING FOR AN ELECTION OF OFFICERS, BY ADDING VOTING STATIONS AND BY ADDING A PROPOSITION TO AUTHORIZE THE LEASE OF PARK LAND.**

Representative Sumrall questioned the "lease of Park Land" language.

Mr. Charlie McNabb, City Attorney, explained that small pieces of park land have had properties encroach into it and to cure the encroachment a transfer of those pieces of property to the adjacent owners must be made. In order to sell park land it requires voter approval.

Motion duly made by Representative Medina, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14795

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING CORONADO BAPTIST CHURCH TO USE A PORTION OF FRANK DELGADO PARK FROM 10:00 AM UNTIL 4:00 PM ON MARCH 24, 2001 FOR A FREE KITE FLYING EVENT.**

Motion duly made by Representative Sumrall, seconded by Representative Hernandez that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-00028, FOR A PORTION OF LOT 1, BLOCK 6, CORONADO DEL SOL UNIT 2, EL PASO, EL PASO COUNTY, TEXAS (655 BLOCK OF SUNLAND PARK DRIVE), PURSUANT TO ORDINANCE NUMBER 011720.

WHEREAS, **H.B. DEL SOL J.V. No. 2** (the "Applicants") have applied for approval of a detailed site development plan pursuant to a rezoning condition as set forth in Ordinance Number 011720, to permit the construction and development of a retail facility (lease building); and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicants, to permit the construction and development of a retail facility (lease building) on the following described property which is located in a C-3/sc/c (Commercial/special condition/contract) District:

A Portion of Lot 1, Block 6, CORONADO DEL SOL UNIT 2, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A," and municipally referred to as the 655 Block of Sunland Park Drive.

A copy of the approved detailed site development plan, signed by the Applicants, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference. (All Exhibits on file with this Resolution in the City Clerk's Office.)

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-3/sc/c (Commercial/special condition/contract) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-3/sc/c (Commercial/special condition/contract) District regulations. Such agreemer.

shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Representative Sumrall explained that this will be a new International House of Pancakes.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 503-511 S. Mesa Street, in El Paso, Texas, which property is more particularly described as follows:

Lots 6-8 and a portion of Lot 9, Block 117, Campbell's addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 2, Page 68, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; and

WHEREAS, Ho Woung Park AKA Ho Woong Park, 11353 James Grant Drive, El Paso, Texas 79936 and In Ae Park, 11353 James Grant Drive, El Paso, Texas 79936, record Owners, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on March 20th, 2001; and

WHEREAS, Edward Flores, Jr., the owners' representative, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:

- a. That the Buildings located on said property are substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
- b. That the Buildings are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- c. The Buildings 505-511 S. Mesa Street are not feasible to repair, Building 503 A & B is feasible to repair.

2. That the City Council hereby orders Owners to comply with the following requirements:

- a) Vacate all Buildings within thirty (30) days; and
- b) Demolish Buildings 505-511 S. Mesa Street within thirty (30) days of adoption of the resolution of March 20th, 2001; and
- c) Secure Building 503 A & B within thirty (30) days; and
- d) Maintain Building 503 A & B secure and clean until rehabilitated; and

- e) Clean the premises of all weeds, trash and debris within thirty (30) days of adoption of the resolution of March 20th, 2001
 - f) That the Owners of said Buildings are hereby ordered to comply with all the requirements of the resolution; and
 - g) That upon failure of the Owners to comply with this resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Buildings and clean the premises of all weeds, trash and debris; and
 - h) That the Owners are ordered to appeared before City Council on May 1st, 2001 to determine if the Council order of March 20th, 2001 has been complied with, and if the Council order has not been complied with to determine penalties.
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall demolish the Buildings and secure Building 503 A & B and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
 4. That said Owners shall become personally liable for all costs incurred by City in connection with demolishing and securing the Buildings and cleaning the premises of all weeds, trash and debris; and
 5. That the costs incurred by the City in connection with demolishing, securing and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
 6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owners lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
 7. That upon failure of the Owner, any mortgages or lienholders to demolish, secure and clean the premises so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
 8. The Owners any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
 9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and

That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

Mr. Thomas Maguire, Building Services, explained that the Building Services Department has received the schedule of completion for the renovation of 503 S. Mesa and an engineer's report testing the structural integrity of the building and the Department has accepted these. He stated that 503A and B will be allowed to be rehabilitated and 505-511 will be demolished. He then read into the record the Department's recommendations.

Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried to approve the recommendation of the Department and adopt the above Resolution.

Representative Medina was not present for the vote.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of January 30, 2001 for the property located at 7429 Roselane Circle, AKA 7429 Rose Lane Circle, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 127 S. Gibraltar, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

.....
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 10608 Murphy Street, in El Paso, Texas, which property is more particularly described as follows:

Lot 5, Block 2, Sarah Ann Park, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 34, Page 16, Plat Records of El Paso County

is dilapidated, substandard, and unfit for human habitation or use; is a hazard to public health, safety, and welfare; and

WHEREAS, David & Eva Davids, 10608 Murphy Street, El Paso, Texas, record Owners, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on March 20th, 2001; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:

- a. That the Building located on said property is substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
- b. That the Building is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and

- c. That the Building can not be repaired; and
2. That the City Council hereby orders Owner to comply with the following requirements:
 - a) Demolish the Building within (30) days of adoption of the resolution of March 20th, 2001; and
 - b) Clean the premises all weeds, trash and debris within (30) days of adoption of the resolution of March 20th, 2001; and
 - c) That the Owners of said Building are hereby ordered to comply with all the requirements of the resolution; and
 - d) That upon failure of the Owners to comply with this resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all weeds, trash and debris; and
 - e) That the Owners are ordered to appear before City Council on May 1st, 2001 to determine if the Council order of March 20th, 2001 has been complied with, and if the Council order has not been complied with to determine penalties.
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with demolishing the Building and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owners lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgages or lienholders to demolish the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and

8. The Owners any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

Mr. Thomas Maguire, Building Services, presented slides and gave Council Members the Department's recommendation.

Representative Cook questioned how long the building been in this condition.

Mr. Maguire responded that the property was first investigated in 1994 and condemned in 1996.

Representative Cook asked once Council moves on the recommendations, how long until the demolition takes place.

Mr. Maguire replied this would depend on the Street Department.

Mayor Carlos M. Ramirez asked if the owner(s) were present to make comments. No one came forward.

Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to approve the recommendation of the Department and adopt the above Resolution.

Representatives Medina and Ortega were not present for the vote.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 9221 San Lorenzo Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.
.....

No action was taken regarding the discussion and action on the status of the CRASH, PAR and IMPACT Units of the El Paso Police Department. (Nick Cobos)

Mayor Carlos M. Ramirez stated that at the Council Meeting last week Chief Leon explained that the CRASH and PAR units would not be redeployed.

Mr. Nick Cobos, Principal at Coronado High School, introduced Ms. Melinda Carrey, Assistant Principal at Morehead Middle School, Mr. Angelo Pokluda, Principal of Morehead Middle School, Mr. Gorski and Ms. Schwartz, Presidents of their respective PTSA programs. Mr. Cobos explained that over 4,000 signatures have been gathered regarding a petition. He read this petition into the record. He understood that the CRASH and PAR units and officers would be kept in place, fully supported and staffed so that these units would see an increase. However, he noted that a step backward has taken place, specifically on the Westside of town.

Ms. Melinda Carrey, Assistant Principal at Morehead Middle School, explained that a community meeting was held at Coronado High School on March 12, 2001 and on this date an announcement was made explaining that two CRASH officers assigned to the Westside were reassigned and one CRASH officer has relocated to another city. She added that the Westside was assigned five CRASH officers however,

there are currently only two CRASH officers. She explained that at the community meeting Chief Leon announced that the Westside would keep all five CRASH officers.

Mr. Cobos requested that Council Members assist or look into this matter assuring that not only would the CRASH units be in place but be fully staffed and remain fully staffed.

Representative Sumrall explained that when the Chief came before Council he stated that he would keep these units fully staffed. She also stated that Chief Leon was asked that when an officer had left the CRASH and PAR units other personnel would be assigned to these units. She explained that Council needs to find out when these positions would be refilled. These units are important to the community and schools.

Representative Medina asked Mr. Cobos if he had spoken with Chief Leon regarding his concerns. He explained that Chief Leon has reassured the public that these units would not be disbanded.

Mr. Cobos agreed with Representative Medina's comments and thanked Mayor and Council Members for listening to their comments. He stated that he would contact Chief Leon. He went on record as stating that he had heard Chief Leon make these comments and believed and trusted that Chief Leon would do what he has publicly stated.

Captain Mike Gill, El Paso Police Department, explained that Chief Leon is committed to the CRASH and PAR teams and that they will be fully staffed. He explained that the patrol resources have reached a critical low and that the Department has temporarily frozen new transfers from patrol. The CRASH teams are a coveted position and will be filled as per the contract. He will take these concerns to the Chief.

Mayor Carlos M. Ramirez explained that the City is taking this matter seriously, he would like to hear what the School District and parents are doing. He asked that the El Paso Independent School District enter into an Agreement with the City to see how their Police Departments will cooperate together. He would like to hear what efforts the principals, teachers and parents are making to ensure that the students are under control.

Mr. Cobos responded that he was happy with the comments made by Captain Gill. He explained that it was their understanding that the relocated officers would not be back at the schools until May. He stated that he could not speak for the School District and could not comment on what efforts the School District is making or what efforts the EPISD Police Department is making. He stated the students and faculty are El Paso citizens and they deserve to be protected. The principals have made every effort to work in cooperation with the Police Departments and are not blaming them or leaving it up to them to control disciplinary problems outside of the campus. He continued stating that the CRASH officers are so closely involved with activities outside the campus, beyond the jurisdiction of the schools. He explained that 10% of the student population create 100% of the problems and that the schools have been working on this and are implementing disciplinary action. However, the problems outside of the campus are what the school districts are very hard pressed to control and that is why this is so concerning to them.

Mayor Ramirez explained that the El Paso Independent School District is the biggest benefactor of taxes and he wants to see these taxes used efficiently. He asked that Mr. Cobos and others go before the Board of Trustees and push for efficiencies. He also wants to see an Agreement implemented between the School Board and the City regarding the utilization of police resources on both sides and support on all campuses for the SRO programs.

Mr. Cobos stated he will take the Mayor's comments to Dr. Anzaldua and the Board of Trustees.

Representative Sumrall asked that the Mayor contact Dr. Anzaldua and that the Council Members speak to their respective Board of Trustee representatives. She stated that the students are not the problem, it is the element from outside that is creating the problem. She explained that the EPISD Police Officers do not have jurisdiction off of school property.

Representative Ortega made comments.

Ms. Sherri Schwartz, President of the PTSA at Coronado High School, thanked the Council Members for the opportunity to speak today. She explained that Chief Leon, Sargeant Wiles and Officer Brickey were present at the Coronado Community Meeting. She explained that things are changing daily and they are very, very scary. She relayed a story to Council Members regarding a school which was built on a bluff. She explained that the Council Members have built a fence, in reference to the CRASH units, that is keeping the children safe. She explained that the parents and administration, working together, can find a remedy for this situation.

Mayor Ramirez explained that he is happy to hear that 4,000 parents signed the petition. These parents gave their time and effort to get involved in the children's schools and activities.

Representative Hernandez stated that no one should underestimate the power of parents.

Mr. Ken Gorski, President of the Morehead Middle School PTA Association, explained the "Eyes on Campus" program at Morehead which is a parental group for before and after school activities in which they assist the administration.

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RESOLUTION

**THE STATE OF TEXAS,
COUNTY OF EL PASO,
CITY OF EL PASO.**

WHEREAS, the El Paso Housing Finance Corporation (the "Issuer") was duly created and organized pursuant to and in accordance with the provisions of the Texas Housing Finance Corporations Act, Chapter 395, Texas Local Government Code, as amended, for the purpose of providing a means of financing the costs of residential ownership and development that will provide decent, safe, sanitary housing for persons of low and moderate income at prices they can afford; and

WHEREAS, the Issuer has determined to issue its \$27,000,000 SINGLE FAMILY MORTGAGE REVENUE BONDS, SERIES 2001A-1 (Taxable), SERIES 2001A-2 (Tax Exempt-AMT) and SERIES 2001A-3 (Tax Exempt Non-AMT) (the "Bonds"), and to utilize the bond proceeds made available thereby to refund (i) the Corporation's Single Family Mortgage Revenue Bonds (GNMA Mortgage-Backed Securities Program), Series 1991 (the "Series 1991 Bonds"); (ii) the Corporation's Single Family Mortgage Revenue Refunding Bonds, Series 1991A (the "Series 1991A Bonds"); (iii) the Corporation's Single Family Mortgage Revenue Bonds (GNMA Mortgage-Backed Securities Program), Series 1991B (the "Series 1991B Bonds"), and (iv) the Corporation's Single Family Mortgage Revenue Refunding Bonds, Drawdown Series 1999 (the "Series 1999 Bonds") (the "Prior Bonds") thereby making available from the Prior Bond proceeds, together with proceeds of the Series 200A-1 Bonds to finance Mortgage Loans for Single Family Residences located with the City of El Paso, Texas, to qualified low and moderate income, first time home buyers for the purchase of owner-occupied single family residences, located within the City of El Paso, Texas, the purchase price of which does not exceed certain limits, to assist persons of low and moderate income within the City of El Paso to afford the costs of acquiring and owning decent, safe, and sanitary housing; and

WHEREAS, the Issuer has conducted and held a public hearing regarding issuance of the Bonds on February 28, 2001 at 3:00 p.m. pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the City approves and encourages the Issuer in its efforts to accomplish the issuance of the Bonds and, as part of such transaction, is willing to provide its General Certificate, and for the Mayor of the City to provide his Certificate concerning the conduct of the Public Hearing on May 1, 2000, copies of which are both attached hereto as Exhibits to this Resolution and made a part hereof for all purposes, and

WHEREAS, the City Council of the City of El Paso hereby authorizes the Mayor to execute both the said General Certificate of the City of El Paso and the Mayor's Certificate, and deliver same to the Issuer.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of El Paso, Texas, that

1. The Preambles to this Resolution set forth above are incorporated herein and made part of this Resolution.
2. The Mayor of the City of El Paso is hereby authorized to execute a General Certificate of the City of El Paso and the Mayor's Certificate in the form attached as an Exhibits to this Resolution and deliver same to El Paso Housing Finance Corporation to be used in connection with the issuance of its Bonds.

Representative Cook thanked the Mayor for appointing him to the HFC (Housing Finance Corporation) and thanked his fellow members for electing him President of the Corporation. He named the other representatives as: Rose Rodriguez, Treasurer; Presi Ortega, Vice President; Stan Roberts, Secretary; Charles Vinson, Assistant Secretary, and Ed Elsey, Director of the El Paso Housing Finance Corporation. He explained that this bond issue is significant and will provide home interest loans with rates below 7%. This will also include up to four points of down payment and closing costs assistance. He pointed out that the City has no liability for the Bonds, they are guaranteed by Fannie Mae.

Mr. Norman Gordon, Counsel for the El Paso Housing Finance Corporation, explained the details regarding this Resolution. If anyone is interested they should contact: 1). Rocky Mountain Mortgage Company at 593-3111; and 2). Sterling Capital Mortgage Company at 590-7444. These institutions will start accepting applications next Monday, March 26, 2001.

Mayor Carlos M. Ramirez stated this is a great program which tremendously benefits our citizens. In the past three years the money has been gone in a matter of weeks.

Representative Hernandez asked how many homes would be available.

Mr. Gordon explained that approximately 380 or 390 home would be made available.

Representative Ortega asked Mr. Gordon to explain the four points down payment. He stated he has enjoyed serving on this Committee which has greatly expanded the tax base. He challenged his fellow Board Members to consider some type of Downtown Housing Initiative using a bond issue such as this.

Mr. Gordon explained that the four points down payment assistance is four percentage points of the mortgage. For example, if the mortgage was \$70,000.00, 4% of this is \$2,800.00 would be provided to assist the buyer with either his/her down payment or closing costs. He added that the bond issues in 1997, 1998, 1999 and 2000 totaled \$104,000,000.00 and with the issue in 1995 composes a grand total \$129,000,000.00.

Representative Cook stated that next year there will be an allocation.

Mr. Gordon elaborated on the allocation issue.

Representative Sumrall asked about term limits on this Board.

Mr. Gordon addressed her question.

Motion made by Representative Cook, seconded by Representative Ortega and unanimously carried to approve the above Resolution.

.....
Motion made by Representative Sumrall, seconded by Representative Sariñana and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule I - One-way streets) to include San Francisco Avenue, east bound from Coldwell Street to Durango Street; and Anthony Street, north bound from Paisano Drive to San Francisco Avenue. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- B. An Ordinance permitting P. D'Anne Smith to use a portion of Sue Young Park from 2:00 PM until 4:00 PM on April 8, 2001 for a campaign rally. Fee: \$40.00
- C. An Ordinance authorizing the Mayor to sign a Special Warranty Deed conveying to Ark Investments the West 24 Feet of Lot 21, all of Lot 22 and the East ½ of Lot 23, Block 41, East El Paso Addition, El Paso, El Paso County, Texas and addressed as 3612 Gateway East, El Paso, Texas.
- D. An Ordinance amending Title 15 (Public Services), Chapter 12 (Water and Sewer System) and Chapter 13 (Water Conservation Ordinance) of the City of El Paso Municipal Code to provide adjustments to definitions; to prohibit turf grass in new parkways unless subsurface irrigated; to expand the definition of responsible party for water code violations; to adjust requirements for a fund raiser car wash; and make certain other water conservation changes; and providing an effective date.
- E. An Ordinance partially vacating 12.5 feet in width of an existing 25 foot wide utility and irrigation ditch easement located partially within Lot 37, Block 3, Stonehedge Estates Unit 4, City of El Paso, El Paso County, Texas (720 Wakefield Court). Applicant: Jim Haines; Representative: Chris Folmer

PUBLIC HEARING WILL BE HELD ON APRIL 3, 2001 FOR ITEMS A - E

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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Motion made by Representative Hernandez, seconded by Representative Sumrall and carried to accept the Quarterly Report on Budget from Chief Financial Officer.

Representative Rodriguez voted Nay. Motion passed 7-1.

Mr. Bill Chapman, Chief Financial Officer, passed out material for Council Members to peruse. He then highlighted some points of interest in his report.

Representative Cook asked Mr. Chapman if he could provide these reports in a more timely manner.

Mr. Chapman explained that due to the system not producing the reports in a timely manner, it is difficult to compile the documents any sooner.

Representative Ortega asked if Mr. Chapman could show figures of what transpired the previous year. He also questioned the budgets of the Parks and Public Works Departments.

Mr. Chapman explained that it is possible to show the previous year's figures; however, when comparing the previous year's budget Council is not really comparing apples to apples. He explained that this year's budget is considerably higher than last year's. Mr. Chapman explained that the Park's and Public Work's budgets are higher due to utilities. The Parks Department pays all the water bills for the Parks Department and the rest of the utilities for all the General Fund departments (excluding Health, Airport and Sun Metro) are paid by the Public Works Department. He explained that on the last pages of the report there are graphs which illustrate the trends for electricity, gas, etc.

Representative Sumrall asked if the discretionary funds are rolled over.

Mr. Chapman responded that they have always rolled over. He will provide the previous year's amounts in future reports. He then summarized the hotel/motel tax for Representative Sariñana.

Mayor Carlos M. Ramirez thanked Mr. Chapman for his report.

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ADDITION TO THE AGENDA

*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized a sign License Agreement Amendment between the City of El Paso and CENTRO DE SALUD FAMILIAR LA FE, INC. (La Fe), to allow La Fe to utilize an additional 1,227 sq. ft. of classroom space at Armijo Community Center in exchange for an additional payment of \$613.50 per month.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council approves the Application of El Paso Electric Company for Approval of Renewable Energy Tariff, PUCT Docket No. 23644, on an experimental basis and the Mayor is authorized to notify the Company.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign on behalf of the City as co-applicant, for the preliminary and final plat application for the I-10 Commercial Subdivision, and, to sign any documents necessary to have the preliminary plat properly processed; and, upon receipt of a satisfactory traffic impact study and City Council approval of an agreement by and between the owner/applicant and the City, to sign the final plat application and any other documents necessary to file and have the final plat properly processed and finalized.

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*Motion made, seconded and unanimously carried to approve Change Order No. 2 (Construction Change) to J.A.R. Concrete for "Extension of Runway 4-22 and Taxiway "J" Extension," for an increased amount of \$132,997.20 to provide a payment item - P-302 "Portland Cement-Per Ton," 280 tons at the unit price of \$474.99 per ton = \$132,997.20.

.....

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a grant, and any related documents, between the CITY OF EL PASO, AREA AGENCY ON AGING and the PASO DEL NORTE HEALTH FOUNDATION on behalf of the Parks and Recreation Department to support the Ageless Health Initiative Program at five (5) senior centers for the amount of \$50,000.00 which will provide a staff person and/or instructor for an exercise/physical activity program that enables seniors to get a work-out at their leisure, awarding T-shirts and other awards as an incentive to improve their overall health. There will be an in-kind contribution of \$45,500.00 provided by User Fees as required by this grant.

Motion made by Representative Medina, seconded by Representative Hernandez and unanimously carried to approve the above Resolution.

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No action was taken regarding the discussion and action on appointment of Zoo Director. (Hector Montes)

Mayor Carlos M. Ramirez explained that Mr. Montes has appealed to the Civil Service Commission and the CSC unanimously denied his appeal. He stated that the City has informed the American Zoo Association that the City would have a Zoo Director at the end of March. The Zoo accreditation has been held up due to not having a Zoo Director. The City is in the process of evaluating the top two candidates and Council Members will have the name of a candidate by next week.

Mr. Hector Montes, City employee, explained his situation to Council Members. He asked Council Members to delay appointing a Zoo Director until the new administration is in place.

Mayor Ramirez reiterated his comments made previously.

Dr. Steve Best, President for Voice for all Animals, Chairman of the Philosophy Department at UTEP and concerned citizen, explained that there is unfinished business at the Zoo: 1). Employees who beat Cissy the elephant, have never been prosecuted; 2). A local police investigation of the zoo employees which beat Cissy was incomplete, indeterminate and the results have not been released to the public. He would like to know the results of this investigation, if it is concluded and if it is why the employees were not prosecuted; and 3). the Zoo has been promising citizens that the Zoo would move from a "free" system to a "protected contact" system. He explained that the Zoo has unfinished business and he asked Council

Members to inform the public as to what happened. He would like public input regarding appointing the Zoo Director. He is concerned that citizens are not allowed input into appointing the Zoo Director.

Representative Sumrall suggested that whoever is appointed should meet with the Animal Rights group and get input from these groups.

Mayor Ramirez responded that those who have interviewed the future candidates have recognized their qualifications and have spoken with them regarding their philosophies on marketing and people who take care of the animals. He added that whomever the City selects, this individual would be open to working with all citizens and groups in our Community.

Dr. Best explained that the citizens of El Paso are not aware of these qualifications and have not been a part of the process. He thought this was undemocratic.

Mayor Ramirez explained that the City structure is not set up that way. The City operates under the Civil Service Rules and Regulations.

Representative Medina explained that it would be apropos for the new Zoo Director to confer with any organization or individual that would be interested. He made comments regarding selecting individuals as Department Directors.

Representative Cook stated that this is a Representative form of Government, which means that the public expects Representatives to listen to their concerns and then to make decisions based on these concerns.

Representative Ortega asked what Council Members could do to assist Mr. Montes.

Mr. Charlie McNabb, City Attorney, stated that Council has no investigative powers into Civil Service matters. He stated that the Civil Service Commission is in charge of the process through which candidates are certified to the Mayor for selection. The Council does vote on the Mayor's appointment and sets the salary but Council has no investigative powers into the process.

Mr. Montes made his final comments.

Mayor Ramirez explained that the Civil Service Commission has reviewed this and made their determination. The process has not been rushed and many applicants did apply. He reiterated that the City needs to continue and a candidate for appointment will be made as early as next week.

.....
No action was taken regarding the discussion and action on A.D.A. handicap accessibility for sidewalks on Paisano Drive. (Raul Garcia)

Mayor Carlos M. Ramirez mentioned that Paisano is not a City street, it is under the Texas Department of Transportation.

Mr. Raul Garcia, concerned citizen, explained his predicaments regarding the inaccessibility for handicap individuals on Paisano Drive. He explained the difficulties he encounters when going to the McDonald's, the Doctor's office, the Post Office and other businesses.

Representative Medina congratulated Mr. Garcia for rearranging his schedule and coming to Council as an individual. He asked the Mayor how the Texas Department of Transportation and the City can work together.

Mayor Ramirez asked Mr. Drusina to address this concern.

Mr. Ed Drusina, Director of Public Works, thanked the Mayor for his comments. He explained that he works closely with the Texas Department of Transportation on other issues. He stated that he will take this concern to them this week at the Partnering meeting, discuss it and forward his remarks to Mr. Garcia. He stated that we are all sensitive to those with handicaps. Although he is unsure as to the exact location of the curb cuts, he will look into this.

Representative Medina asked if he might attend the meeting with Mr. Drusina and the Texas Department of Transportation.

Mr. Drusina responded affirmatively.

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Motion made by Representative Sumrall and seconded by Representative Sariñana to approve the release of any and all documents that have been discussed in Executive Session and prepared by Norman Gordon reference the El Paso Electric Company as requested by Representative Sariñana.

Representatives Sumrall and Sariñana voted Aye. All other Council members voted Nay. The Motion did not carry. The vote was 2-6.

Mayor Carlos M. Ramirez commented on the 1995 contract negotiations between the City and the El Paso Electric Company. He cautioned Council Members that presentations made in Executive Session are not to be discussed as per the Opens Meeting Act. He explained that the final approval rests with the Public Utility Commission of Texas.

Representative Sariñana explained the reason why the item was placed on the agenda was because Mr. Jim Haines appeared at a breakfast meeting hosted by Representative Sariñana. Representative Sariñana explained that his constituents had asked him to place this item on the agenda. He asked that the contract be released to the entire community. He made a comment regarding Mr. Haines selling his Electric Company stocks.

Mayor Ramirez explained that there is no contract, nothing has been approved, therefore nothing is ready to be made public. He could not comment on the selling of the stock issue. He reiterated that the base rates of the Electric Company are frozen for ten years until 2005, there has been no overcharging based on base rates. The citizens have not been overcharged because there is nothing that has been approved by the City or the PUC to change the base rates. As far as the fuel costs, the City has not approved yet any changes in the fuel costs. So until there is an approval, there are no changes to the fuel costs.

.....
Motion made by Representative Sumrall and seconded by Representative Sariñana to approve the public release of the results of the 2001 audit and related material regarding a proposed settlement between the City of El Paso and El Paso Electric Co. and the scheduled rate review. (Representative Sumrall)

Representatives Sumrall and Sariñana voted Aye. All other Council members voted Nay. The Motion did not carry. The vote was 2-6.

Representative Sumrall explained that she will strongly deny releasing information from Executive Session. She feels that the citizens and candidates for the Mayor's office should be given the real truth. She stated that if the audit was released to the public and the media there would not be any confusion. She stated that the public needs to know why the City is negotiating and why would the Electric Company make a \$10 million dollar offer.

Representative Sariñana explained that the audit was paid for by taxpayers money.

Mayor Ramirez stated that there is no 2001 audit.

Representative Sumrall asked about the 1998, 1999 and 2000 audits.

Mayor Ramirez responded that the PUC has a say as to what would be approved.

Representative Medina explained that there has been misinformation given to the public. He agreed with Mayor Ramirez's comments regarding disclosing strategies to the public.

Representative Ortega explained that Mr. Haines' selling his stock has no bearing on whether this is a negative or a positive. He explained that releasing information might harm the City's situation regarding negotiations with the Electric Company.

Representative Hernandez explained that the Mayor has had to tell Council Members not to release information given during Executive Session.

Mayor Ramirez gave final comments.

Mr. Bill Addington, representing Sierra Blanca Legal Defense Fund and West Texas Water Protection Fund, stated that what Council does regarding water and electricity affects a wide region. He commended Mr. Norman Gordon for his outstanding legal defense on a previous issue. He explained that the rate payers need some relief. He stated that this is an economic development issue. He urged and implored the Council to rein in the Electric Company and the unfounded charges. He asked that if documents were given to the Electric Company, why wasn't this information given to the public as well. He urged the Mayor and Council to fight the fuel charge increase and not to compromise.

Mayor Ramirez explained that the Electric Company negotiated lower rates with New Mexico two years ago, the Electric Company voluntarily reduced the rates in Texas to match the rates in New Mexico. He added that after 2005 the regulations will kick in regarding the deregulation of the electric utilities of Texas. He explained that they will have to be competing in a competitive market against other utilities. With regard to the fuel costs, he explained, only the fuel cost increases are being passed on to the citizens.

.....
Motion made by Representative Ortega, seconded by Representative Hernandez and carried to appoint Martin Silva to the PSB in accordance with Ordinance 752, as amended.

Representatives Sumrall, Cook and Sariñana voted Nay. Motion passed 5-3.

Mayor Carlos M. Ramirez explained that Mr. Gilbert Moreno, Chairman of the Public Service Board, and the Mayor received 16 nominations and that only one female applied. He stated that under the Ordinance it is the Mayor and Chairman's decision to bring the three names to the Council for appointment. A meeting was held last week and the recommendations were made at that time.

Representative Sumrall stated that she was disappointed there was not a woman's name listed as one of the candidates. She said she has another nomination if the name nominated does not pass.

Representative Sariñana commented that Mr. Silva was on the Bridge Commission and subsequently resigned.

Mayor Ramirez stated that yes Mr. Silva was on the Bridge Commission, however, he resigned in protest of the policies of the past administration.

Representative Hernandez stated that Mr. Silva is well qualified, outspoken, his own person and has lived in El Paso all of his life.

Representative Ortega explained that all three candidates are very well qualified, however, Mr. Silva represents the Downtown area and this is an area which has been underrepresented in the past.

Representative Medina congratulated Mayor Ramirez and Mr. Moreno for not making hasty decisions.

Representative Escobar stated he hopes in the future the process will be refined so that the general public will have knowledge as to how the names come to Council for approval. He asked that perhaps a set of guidelines and/or a Committee might be established.

Mayor Ramirez explained that the PSB has been discussing the present arrangement and that it has existed for a very long time. He added that the present Board is open to new suggestions.

Representative Medina explained that this administration has been making progressive changes to many Ordinances and that the PSB Ordinance is in need of an overhaul.

Mayor Ramirez explained that the new administration must work closely with the Legal Department and those involved with the Bonds.

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Motion made by Representative Sumrall, seconded by Representative Sariñana and unanimously carried to postpone one week Maria Arambula vs. City of El Paso, Our File No. 95-S-79, Cause No. 95-12362 (551.071)


Representative Sumrall was not present for the vote.

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Motion made by Representative Sariñana, seconded by Representative Hernandez and unanimously carried to adjourn this meeting at 12:20 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter
Carole Hunter, City Clerk


Charles McNabb, City Attorney

